

Notice of Allowability

Application No.

10/677,285

Examiner

Deborah A. Raizen

Applicant(s)

SATO, SUSUMU

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ The drawings filed on 03 October 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 1003
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date ____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

REASONS FOR ALLOWANCE

1. Claims 1-21 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of claims 1-21, in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper.

The prior art fails to teach a combination of all the features in claim 1. For example, these features include the detailed structure recited, especially the limitations that the first lens group consists of, in order from the object, a positive front lens group, a negative middle lens group and a positive rear lens group and that in the fourth lens group there are, in order from the object, a positive front lens group, negative middle lens group, and positive rear lens group, and also the limitations that zooming is with the second and third lens groups, focusing is with the middle lens group of the first lens group, and that the image position is varied by shifting the middle lens group of the fourth lens group perpendicularly to the optical axis, in combination with all the other limitations of the claim.

The closest prior art is JP-10-90599, reference AJ in applicant's form PTO-1449 submitted on 10/03/2003. The zoom lenses disclosed in Figures 4 and 7 are close to claim 1, but lack the limitation that the front lens group of the fourth lens group comprises a positive element and a negative lens element. Also, the reference does not explicitly disclose that the zoom lens satisfies the recited condition.

Sato (US 2003/013320; cited in applicant's form PTO-1449; now patent US 6,693,750) does not present double patenting. Harada (US 2002/0101661; cited in applicant's form PTO-

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1449; now patent US 6,646,804) discloses a zoom lens that does not have the recited structure of the first lens group, among other missing limitations.

None of the references cited in the attached form PTO-892 discloses the features recited in claim 1. In Usui et al. (6,560,016) there is no middle negative group in F and IS is not negative. In Tsutsumi (6,058,269), LA does not have the structure recited for the fourth lens group, in addition to other lacking limitations. In Aoki (5,721,641), the first and fourth lens groups do not have the recited structure and the front positive lens group of the fourth lens group shifts perpendicularly, not a middle negative lens group.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deborah A. Raizen, Ph.D., J.D., whose telephone number is (571) 272-2336. The examiner can normally be reached on Monday-Friday, from 10:00 a.m. to 3:00 p.m. Eastern Standard Time (a part-time schedule).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached at (571) 272-2328. The USPTO central official fax number is (703) 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. For more information, see <http://pair-direct.uspto.gov>. For access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or at 703-305-3028 or at 703-308-6845, or by e-mail at: ebc@uspto.gov. Additional information is available on the Patent EBC Web site at: <http://www.uspto.gov/ebc/index.html>.

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A handwritten signature in black ink, appearing to read "Scott J. Sugarman". The signature is stylized with a large, looped "S" and "J".

Scott J. Sugarman
Primary Examiner